

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re: Application of:**

Eileen Heider,  
Brian Gaida,  
Dave Gilson,  
Nat Frampton,  
Mike Miller,  
Harold Baird,  
Erika Valentine,  
and  
Michael Bearden

**Examiner:** Dwin M. Craig

**Serial No.:** 10/064,542

**Group Art Unit:** 2123

**Filed:** July 25, 2002

**For:** SYSTEM AND METHOD  
OF MODEL BASED CONTROL

Assistant Commissioner of Patents,  
Washington, D.C. 20231

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS**

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed September 7, 2006, finally rejecting claims 31 to 49.

The Commissioner is hereby authorized to charge the sum of \$500.00, for filing this Appeal in the above-captioned U.S. Patent Application, as set out in 37 C.F.R. § 41.20(b)(1), to the U.S. Army's Deposit Account No. 19-2201.

Respectfully submitted,

/Robert Charles Beam/  
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